

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

INCOME TAX REFERENCE No 316 of 1984

For Approval and Signature:

Hon'ble MR.JUSTICE R.BALIA. and
MR.JUSTICE A.R.DAVE

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

COMMISSIONER OF INCOME-TAX

Versus

GUJARAT INDUSTRIAL DEVELOPMENT CORPORATION LTD

Appearance:

MR MANISH R BHATT for Petitioner
MR RK PATEL for Respondent No. 1

CORAM : MR.JUSTICE R.BALIA. and
MR.JUSTICE A.R.DAVE

Date of decision: 28/04/99

ORAL JUDGEMENT

1. When the matter came up for hearing both the counsel for the parties state that the question referred to us was substantially also the subject matter of Income Tax Reference No. 70 of 1983 in respect of the very same assessee for the assessment year 1976-77 which has been

decided by this Court on 27.9.1995. This court referring to decision of Madras High Court in CIT Tamil Nadu III v. Aruna Sugars Limited 123 ITR 619 answered the Question No.1 responding to the question referred to above in favour of assessee and against the revenue.

2. Following the aforesaid decision in assessee's own case, we answer the question in favour of assessee and against the revenue, that is to say, in affirmative.

There shall be no order as to costs.

(Rajesh Balia, J) (A.R. Dave, J)